

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

PAULA LAND,

Plaintiff,

vs.

Civ. No. 00-1396 KBM/WWD ACE

SCOTTSDALE INSURANCE COMPANY,
An Arizona Corporation,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant Scottsdale Insurance Company's Motion to Compel Plaintiff's Rule 26 Disclosures [docket no. 30] filed July 27, 2001. Plaintiff claims that the requirements of Rule 26 were satisfied between Plaintiff's counsel and Defendant's previous counsel, and that no further exchanges were required. The claim is in no way rebutted, and neither is Plaintiff's claim that everything that would be furnished under the rule has been furnished in the discovery process. Defendant's present counsel still demands that disclosure be made in accordance with the requirements of Fed. R. Civ. P. 26(a)(1). There is no suggestion that all information due under Rule 26 has not been provided. I will not require useless duplication of effort on the part of the Plaintiff; nor do I support defense counsel's effort to abrogate the agreement made by its predecessor with Plaintiff's counsel.

WHEREFORE,

IT IS ORDERED that Defendant Scottsdale Insurance Company's Motion to Compel Plaintiff's Rule 26 Disclosures [docket no. 30] be, and it is hereby, **DENIED**.


UNITED STATES MAGISTRATE JUDGE